

REMARKS

The Office Action dated June 30 has been received and carefully noted. The above amendments to the claims and the following remarks, are submitted as a full and complete response to the Office Action.

Claims 1 and 12 are amended to more particularly point out and distinctly claim the subject matter of the invention. Support for the amendments is found at least in page 3 lines 15-22 of the specification (paragraph [0012]). New claim 19 is added. Support for claim 19 is found at least on page 9 lines 11-35 (paragraph [0039]) of the specification. No new matter is added. Claims 1-19 are respectfully submitted for consideration.

The Office Action rejected claims 1-2 and 4-11 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,808,662 to Kinney et al. (Kinney). Applicants respectfully submit that Kinney fails to disclose or suggest all of the features of any of the pending claims.

Claim 1, from which claims 2-11 depend, recites a method for providing synchronized service in a communications network including user terminals and servers providing services to the user terminals through at least one channel. The method includes forming at least one group of user terminals having different rights to control a playback of a recording and allocating at least one channel to an individual group, and transmitting a recording to the terminals of a group thus formed, each recording including timing markers, each of which indicates an internal position within the recording. The method further includes storing at least part of the recording prior to its playback at each

terminal. The method further includes sending a start command to each terminal of the group and in response to the start command, starting the playback of the recording at each terminal. The method further includes maintaining status information for the recording, the status information indicating at least the playback position of the recording, transmitting a status message to the terminals, the message indicating new status information concerning the recording. The method further includes changing the playback status at each terminal according to said new status information, and controlling the playback in the plurality of user equipment by utilizing at least information received in a message from a user terminal with highest priority.

In certain embodiments of the present invention, the users of a group have different priority levels. The priority levels are preferably formed so that within each group the users have full rights to control playback of a recording.

Kinney is directed to synchronized, interactive playback of digital movies across a network. Kinney discloses playing movie data in a substantially synchronized manner at each playback system according to playback control data requested by one of the participants. Further, Kinney discloses allowing a participant to join the viewing of a movie. In doing so, the participant sends a "hello event." A master ("the location that initiated the session or event") sends back a "seek event" which is required in order to advance the movie viewed by the participant at the remote system to the frame that all other participants are currently viewing. See column 6 lines 55-65 and Figures 2A, 2B and 2C of Kinney.

Applicants submit that Kinney fails to disclose or suggest at least the feature that each of the user terminals are assigned different priority levels to control a playback of a recording, as recited in claim 1.

Instead, Kinney while failing to even mention the assigning of rights or priorities to the user terminal, merely discloses the each participant in a shared playback session is able to receive input from local graphical user interface, external transport controller or event from another participant over the network asynchronously. That is, movie playback occurs even while receiving input from any of these sources. Kinney at column 7 lines 1-6.

Applicants submit that the mere assignment of a master is not analogous to setting rights or priorities of the users of the groups. Kinney merely discloses a response protocol i.e., when a new user arrives (hello event) a master sends a response acknowledging it (see event). Further, it is the user who sends a stop event and not the master therefore the master does not even control playback, nor is it mentioned or suggested in Kinney that the master has a higher priority in viewing or controlling the viewing of the movie, than any other user in the group. As stated above, Kinney states that the master is simply the originator of the event or session.

Further, Applicants submit that Kinney fails to disclose or suggest at least the feature of controlling the playback in the plurality of user equipment by utilizing at least account information received in a message from a user terminal with highest priority, as recited in claim 1.

Instead, Kinney discloses the users have equal rights to control playback of a recording. Kinney at column 7 lines 33.

Applicants submit that because claims 2 and 4-11 depend from claim 1, these claims are allowable at least for the same reasons as claim 1.

Based at least on the above, Applicants submit that Kinney fails to disclose or suggest all of the features of any of the pending claims. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) is respectfully requested.

The Office Action rejected claims 3 and 12-18 under 35 U.S.C. §103(a) as being obvious over Kinney, in view of Office Notice taken by the Examiner. The Office Action took the position that Kinney disclosed all of the features of these claims except the feature of forming several user groups (claim 3), and a first management means for maintaining information on user groups formed in the system, the information indicating the user terminal(s) belonging to each group, the channels assigned to each group and the recording(s) being used by the group. The Office Action took Official Notice that these features are well-known and expected in the art. Applicants submit that Kinney fails to disclose or suggest all of the features recited in any of the pending claims. Kinney is discussed above.

Applicants submit that because claim 3 depends from claim 1, Kinney is deficient at least for the reasons set forth above regarding claim 1, and the Office Notice taken by the Office Action, fails to cure these deficiencies. Thus, Kinney fails to disclose or suggest all of the features recited in claim 3.

Claims 12, from which claims 13-18 depend, recites a system for providing synchronized playback of recordings in a communications network with transmission channels. The system includes a server for managing recordings stored within the system, user terminals for storing and playing the recordings, and transmission means for transmitting the recordings to the terminals through at least one channel. In the system, each recording includes timing markers (TM), each of which indicates an internal position within the recording. The system further includes first management means for maintaining information on user groups formed in the system, the information indicating the user terminal(s) belonging to each group, the channel(s) assigned to each group, and the recording(s) being used by the group, wherein each of the user terminals belonging to the group have different rights for controlling playback of a recording. The system further includes second management means for maintaining status information for said recordings, the status information indicating at least the playback position of the recording, first control means for sending status information to the user terminals of a group, and second control means at each user terminal, responsive to the first control means, for controlling the playback in the terminal according to said status information.

Applicants submit that Kinney fails to disclose or suggest at least the feature of a first management means for maintaining information on user groups formed in the system, the information indicating the user terminal(s) belonging to each group, the channel(s) assigned to each group, and the recording(s) being used by the group, wherein each of the user terminals belonging to have different rights for controlling playback of a

recording, as recited in claim 12. Specifically, as discussed above, Kinney fails to even mention this feature.

Instead, Kinney while failing to even mention the assigning of different rights or priorities to the user terminal, merely discloses the each participant in a shared playback session is able to receive input from local graphical user interface, external transport controller or event from another participant over the network asynchronously. That is, movie playback occurs even while receiving input from any of these sources. Kinney at column 7 lines 1-6.

Applicants submit that the mere assignment of a master is not analogous to setting rights or priorities of the users of the groups. Kinney merely discloses a response protocol i.e., when a new user arrives (hello event) a master sends a response acknowledging it (see event). Further, it is the user who sends a stop event and not the master therefore the master does not even control playback, nor is it mentioned or suggested in Kinney that the master has a higher priority in viewing or controlling the viewing of the movie, than any other user in the group. As stated above, Kinney states that the master is simply the originator of the event or session.

Further, Applicants traverse the Official Notice taken in the Office Action regarding the concept and advantage of having a management means for maintaining information on user groups formed in the system are well-known in the art. Applicants further request evidence that this feature is in fact well-known in the art of the present

invention. Thus, the Official Notice taken in the Office Action fails to cure the deficiencies of Kinney that are discussed above.

Further Applicants submit that Kinney fails to disclose or suggest at least the feature wherein the playback of the recording in the plurality of user equipment is controlled at least by utilizing information received in a message from a user terminal with highest priority, as recited in claim 12.

Instead, Kinney discloses the users have equal rights to control playback of a recording. Kinney at column 7 lines 33.

Applicants submit that because claims 13-18 depend from claim 12, these claims are allowable at least for the same reasons as claim 12.

Based at least on the above, Applicants submit that Kinney and Official Notice taken by the Office Action fail to disclose or suggest all of the features recited in any of the pending claims. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) of claims 12-18 is respectfully requested.

Applicants submit that new claim 19 recites features that are neither disclosed nor suggested by the cited references. Accordingly, Applicants submit that claim 19 is allowable.

Applicants submit that each of claims 1-19 recite features that are neither disclosed nor suggested by the cited prior art. Accordingly, Applicants request that claims 1-19 be allowed and this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "D. E. Brown", is written over a horizontal line.

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